

**Members**

Rep. Gregory Porter, Chairperson  
Rep. Terry Goodin  
Rep. Paul Robertson  
Rep. Robert Behning  
Rep. Timothy Harris  
Rep. Jeffrey Thompson  
Sen. Teresa Lubbers, Vice-Chairperson  
Sen. Phil Boots  
Sen. James Buck  
Sen. James Arnold  
Sen. Jean Breaux  
Sen. Connie Sipes



## **INTERIM STUDY COMMITTEE ON EDUCATION MATTERS**

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**Authority:** P.L. 140-2008 (HEA 1246-2008)

### **MEETING MINUTES<sup>1</sup>**

**Meeting Date:** October 29, 2008  
**Meeting Time:** 1:00 P.M.  
**Meeting Place:** State House, 200 W. Washington  
St., Room 431  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 5

**Members Present:** Rep. Gregory Porter, Chairperson; Rep. Paul Robertson; Rep. Robert Behning; Rep. Timothy Harris; Rep. Jeffrey Thompson; Sen. Teresa Lubbers, Vice-Chairperson; Sen. James Buck; Sen. Connie Sipes; .

**Members Absent:** Rep. Terry Goodin; Sen. Phil Boots; Sen. James Arnold; Sen. Jean Breaux.

Chairman Porter called the meeting to order at 1:15 p.m. Dr. Russell Skiba, Indiana University Center for Evaluation and Education Policy, Chairman of the Education Subcommittee for the Commission on Disproportionality in Youth Services, presented the Commission's report dated October 15, 2008 (Exhibit A) and gave an overview of the Commission's duties. He stated that the Commission was formed to develop and provide an implementation plan to evaluate and address disproportionate representation of youth of color in Indiana's child welfare, education, juvenile justice and mental health service systems. Dr. Skiba also discussed certain recommendations outlined in the report, which

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

included the following areas: (1) teacher training, (2) teacher recruitment and retention, (3) cultural competency, (4) drop-out prevention, and (5) equitable funding for schools.

Committee members voiced concerns regarding the feasibility of implementing certain recommendations and the cost of some of the programs recommended in the report.

Joel Hand, Indiana Department of Education, distributed a written response to the recommendations by the Commission (Exhibit B) without comment.

Chairman Porter presented the following findings and recommendations concerning college readiness:

1. The Committee finds that for professional school counselors to create and support a college readiness culture within Indiana schools, it is necessary for school counselors to have a uniformed school counselor job description.
2. The Committee recommends that legislation be prepared that directs the Indiana Department of Education to adopt administrative rules by July 1, 2010, that establish a uniform job description for school counselors. This should be accomplished in consultation with Indiana School Counselors Association, and the Indiana Association of Public School Superintendents.
3. The Committee finds that the ratio of school counselors to students in the state exceeds the recommended ratio provided by the American School Counselor Association and that the current ratio significantly predicts the high school drop out rate. Further, the Committee finds that the Indiana school counselor to student ratio ranks 40th in the nation.
4. While state funding will not permit addressing this disparity, the General Assembly retains this as its highest priority and identifies a way to bring this ratio down over time to meet the nationally recommended ratios for school counselors.
5. The Committee finds that the topic of college readiness should be built into preparation programs for school counselors.
6. The Committee recommends that all school counselor programs in the state emphasize college preparation in the school counselor curriculum.
7. The Committee finds that 511 IAC 4-1.5, which delineates the duties of all student service personnel, is important to the successful career development of students. Further the Committee finds that school counselors are uniquely prepared professionals to address the career and academic success of children.
8. The Committee recommends that the Indiana Department of Education reiterate to its constituency the expectation of the General Assembly that these rules are re-emphasized when making staffing recommendations concerning school counselors.

(Exhibit C).

The Committee agreed to make the following changes concerning the findings and recommendations concerning school counselors:

- (1) Change the term "college readiness" to "postsecondary readiness".
- (2) Change recommendation #4 to reflect the following:

While state funding will not permit addressing this disparity, the General Assembly retains a priority to bring this ratio down over time to meet the nationally recommended ratios for school counselors.

After discussion, the Committee adopted the findings and recommendations concerning postsecondary readiness by consent with eight members present.

Chairman Porter presented the following findings and recommendations concerning high school athlete steroid testing:

1. The Committee finds that the evidence submitted to the Committee does not support a finding that random steroid drug testing of high school athletes should be implemented in the state.
2. The Committee finds that the evidence from other states indicates that despite devoting significant resources toward steroid testing, a very small percentage of athletes using steroids were detected. Some states have discontinued or are considering discontinuing the program.
3. The Committee finds that some states, such as Delaware, after studying whether to institute testing policies have declined to do so, citing the conclusion that random testing programs are not the most effective use of resources to address this issue.
4. The Committee finds that a more effective way of disseminating information about the hazards of steroid usage is through coordinating with school health programs and health courses. In addition, coaches, athletic directors, trainers and parents should be provided with timely information on the hazards of steroid usage. The committee encourages the IHSAA to use its best efforts to provide school athletic officials with timely information on steroid usage and control and to work cooperatively with the school athletic officials in developing policies to discourage steroid usage by high school athletes.
5. The Committee encourages the Indiana Department of Education to work cooperatively with the IHSAA's medical committee to develop a program of instruction in high schools for students, school athletic officials, athletic trainers, and parents to inform them about the hazards of steroid use and methods to avoid steroid usage.
6. The Committee recommends that schools develop policies to encourage students experimenting with steroids to seek counseling and assistance to enable the students to cease the use of steroids.
7. The Committee encourages the IHSAA to develop public service announcements about the detrimental effects of steroids on high school athletes.
8. The Committee finds that the General Assembly should continue to monitor national information and the incidence of use of steroids among high school athletes and take such further action as may be necessary to address this issue in the future.

(Exhibit D)

After Committee discussion, the findings and recommendations concerning high school athlete steroid testing were adopted by consent with eight Committee members present.

Chairman Porter asked John Ellis, Executive Director, Indiana Association of Public School Superintendents, to discuss the impact of fuel costs on school corporations. Dr. Ellis presented a summary of data collected on estimated transportation fund budgets and estimated fuel costs from the 2009 budgets of 231 school districts in Indiana (Exhibit E). After discussion with Committee members, Mr. Ellis agreed he would support the following recommendation that was adopted by consent with eight members of the Committee present:

The Committee recommends that when sufficient information is available, legislation based on allowing an appeal to the transportation fund for increases in fuel costs should be considered for introduction during the 2009 session of the General Assembly. (Exhibit C)

Senator Lubbers presented the following recommendations concerning virtual education:

1. Every on-line or computer instruction program must conduct a background screening of all employees or contracted personnel.
2. All instructional staff must be appropriately certified in the subject areas they teach.
3. All courses of online or computer instruction must meet or exceed Indiana academic standards.
4. ISTEP must be administered to students participating in on-line instruction in proctored settings.
5. A virtual school established by a school corporation or charter school shall comply with IC 20-30-2-3 (school year).
6. For purposes of funding, a full-time student enrolled in a virtual school shall be included in the average daily membership of the school corporation or charter school in which the student is enrolled.
7. Virtual schools should be defined as follows: ""Virtual school" means any entity that provides for the delivery of more than fifty percent of instruction to students through virtual distance learning, online technologies, or computer based instruction.".
8. Language requiring at least one course through virtual distance learning, online technologies or computer based instruction should be included in IC 20-32-4-1(a)(2).

(Exhibit F).

Committee members voiced the following concerns: (1) whether students will receive adequate personal interaction with other students, and (2) whether requiring at least one course through virtual education for all students would allow for the course to be taken at a traditional school during school hours. After Committee discussion and the following change to recommendation #8, the recommendations were adopted by consent with eight Committee members present:

The Committee recommends that the State Board of Education require each student to complete at least one course through virtual distance learning, online technologies or computer based instruction to be considered for high school graduation under IC 20-32-4-1(graduation requirements).

Chairman Porter presented recommendations concerning disproportionality in education (Exhibit G). The recommendations outlined best practices to address disproportionality in education, including: (1) targeting early literacy skills, (2) implementing a response to intervention framework, (3) utilizing cultural responsive pedagogy and classroom management, (4) strengthening family-school partnerships, and (5) designing a comprehensive educational program. After Committee discussion, the Committee agreed that the issues outlined in the recommendations are extremely important and that there should be further discussion concerning each issue. The Committee determined that the recommendations will continue to be discussed in the upcoming legislative session and legislation will be considered to address the issues included in the recommendations.

Chairman Porter presented a bill draft renaming the Indiana Technology Fund as the David C. Ford School and Library Technology Fund (Exhibit H) and providing a continuing appropriation to the Fund. The draft was adopted by consent with eight members present.

A motion was made and seconded to approve the final report with the inclusion of the actions taken by the Committee and the testimony heard at the meeting of October 29, 2008. The Committee approved the draft final report with the specified additions by consent with eight members present.

With no further business to discuss, the Committee was adjourned at 2:45 p.m.